

## **NEW JERSEY STATE LOTTERY COMMISSION**

### **PUBLIC MEETING, JANUARY 2, 2018**

Acting Executive Director White called the Commission meeting into session at 10:00 AM in the Lottery Office located at One Lawrence Park Complex, Lawrenceville, New Jersey.

#### **COMMISSION MEMBERS PRESENT**

Frank Ragazzo, Chairman (by phone)  
Robert Slater, Commissioner (by phone)  
Christopher McDonough, Commissioner (by phone)  
Matt Spadaccini, Treasurer Designee (by phone)

John M. White, Acting Executive Director  
Robert E. Kelly, Deputy Attorney General  
Nicholas Kant, Gov. Auth. Unit (by phone)

#### **STAFF**

Duane Daniels  
Jill Dawson  
Megan Mazzoni  
Charlene Mello  
Richard Pagnani  
Steven Palmieri  
Deborah Raub  
Mary Ann Rivell  
Margaret Square

After the Pledge of Allegiance, Acting Executive Director White announced that the Lottery was in compliance with the provisions of the Open Public Meetings Act, and that adequate notice of the meeting had been provided in the manner prescribed by law.

Commissioner Slater stated that at the time that we voted on the transfer of the assets to pensions, there was a discussion with Beth Leigh Mitchell. For purposes of clarification and to avoid any misunderstanding, the votes of the Board of Commissioners today to approve the proposed amendments and the new rules are based on that same understanding. Essentially this understanding is, that the Board of Commissioners do not have an executory power or responsibility for the actions of the Director. And therefore, throughout all of these rules and regulations where we are saying that the Director shall do various and sundry things to administrate the new rules and regulations, the responsibility for those actions falls really with the Treasurer, and the Director who are directly responsible, and not the Board. We have been waiting for a long time for a document from the Attorney General's office, which Beth knows about, and it is very important to put this on the record that this is the understanding.

Deputy Attorney General Kelly stated that if we need to have a more detailed discussion we could go into Executive Session. It is the responsibility of the Lottery Commission to promulgate regulations not the Director. Our previous advice that we gave verbally, and we have not yet produced a document, is that absent any kind of criminal intent on the part of the Commissioners, they have wide, wide discretion in performing their duties; for example, approve regulations. It's hard to see under the circumstances now present how there would be any liability to the Commissioners by taking this vote. Again, absent any criminal activity that I have no reason to believe exists at this time.

Treasurer Designee Spadaccini stated that he agrees with the statement Commissioner Slater said and as the Treasurer's Designee, he would be happy to speak with Beth Mitchell on the status of that letter. He agrees with Deputy Attorney General Kelly that if there is any further discussion we need to go into Executive Session.

Commissioner Slater stated that is very good.

Acting Executive Director White asked if there were any additional questions. Hearing none, Acting Executive Director White asked Chairman Ragazzo if he should conduct the vote. Chairman Ragazzo agreed that Acting Executive Director White should conduct the vote.

Acting Executive Director White requested a motion to approve the Publication for Proposed Amendments to: N.J.A.C. 17:20-1.1, 1.2, 1.3, 1.4, 2.1, 3.1, 4.1, 4.3, 4.4, 4.5, 4.6, 4.9, 4.10, 4.11, 5.1 through 5.6, 6.1 through 6.6, 7.1, 7.4, 7.12, 9.1, 10.1, 10.2, and 10.3 and Proposed new rules: N.J.A.C. 17:20-4.12 and 12. Chairman Ragazzo made the motion, which was seconded by Treasurer Designee Spadaccini. Acting Executive Director White asked if there were any comments and there being none, he called for a roll call vote:

Treasurer Designee Spadaccini	Yes
Commissioner McDonough	Yes
Commissioner Slater	Yes
Chairman Ragazzo	Yes

Motion to approve was carried.

#### **EXECUTIVE SESSION**

There was no Executive Session.

#### **MISCELLANEOUS**

There were no miscellaneous items.

#### **PUBLIC COMMENT**

There was no public comment.

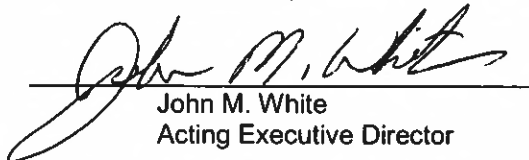
#### **ADJOURNMENT**

Acting Executive Director White asked if there was any other business to be discussed and there being none, asked for a motion to adjourn. Commissioner Slater made the motion, which was seconded by Chairman Ragazzo. The motion carried.

I HEREBY CERTIFY that the foregoing is a true and correct copy of the minutes of the New Jersey Lottery Commission meeting held on January 2, 2018.

IN WITNESS WHEREOF, I hereby set my hand on

the 23 day of January, 2018.

  
John M. White  
Acting Executive Director